

REMARKS/ARGUMENTS

The present amendment is submitted in response to the Office Action dated December 18, 2009, which set a three-month period for response, making this response due by March 18, 2010.

Claims 17-20 and 22-32 are pending in the application.

In the Office Action, claims 17-20, 22 and 28-32 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 17, 22, 28 and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,005,777 to Fernandez in view of U.S. Patent No. 4,217,788 to Burr et al or U.S. Patent No. 5,605,071 to Buchanan, Jr. Claims 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez in view of Burr or Buchanan and further in view of U.S. Patent No. 4,546,933 to Kanada et al. Claims 30-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez in view of Burr or Buchanan and Kanada and further in view of U.S. Patent No. 4,652,781 to Andrei-Alexandru et al.

In the present amendment, the claims have been amended to address the rejections under Section 112, second paragraph.

The Applicants respectfully disagree that the cited reference combinations render obvious the subject matter of the pending claims.

On page 4 of the Office Action, the Examiner maintains that the primary reference to Fernandez discloses almost all of the features of claim 1, with the exception of a non-self-locking arrangement. He then maintains that this feature is disclosed by Burr or Buchanan, and that since both of these references show non-

self-locking arrangements, the combination of Fernandez with either of these secondary references would lead to the present invention.

The Applicants respectfully disagree with this analysis. As the Applicants have argued many times throughout prosecution of the present application, a great number of differences exist between the present invention and the device disclosed in Fernandez so that the respective devices really are not comparable. The displaceable shaft toothing in Fernandez makes impossible the claimed function of the present invention, specifically that with a reversal of the rotational direction, a blocking of the rotational movement of the spiral toothing takes place. In this connection, it is clear that Fernandez does not only fail to disclose the non-self-locking feature, but other features of the present invention as well. Fernandez is not a suitable or relevant reference that could provide a starting point of the present invention because the construction and technical background of the Fernandez construction differs completely from the purpose and object of the present invention.

Looking first at the combination of Fernandez with Burr, the Examiner maintains that Burr describes a non-self-locking arrangement. The Applicants disagree. The structure shown in Burr, specifically, the additional brake, cannot be seen as self-locking. The brake provided by Burr is replaced in the present invention by the arrangement of a friction-increasing component. Neither Burr nor Fernandez suggests this modification in any sense. Thus, if one of ordinary skill in the art were to combine Fernandez with Burr as proposed, the present invention still would not be achieved, because Fernandez shows displacement of the spiral toothing on the carrier shaft.

Regarding the combination of Fernandez with the newly cited reference to Buchanan, again, the Applicants submit that this reference has been misinterpreted. Buchanan shows an axial deviation of the worm toothing on both sides, and in this manner, a self-locking is avoided. More specifically, Buchanan shows only a gear assembly with a non-self-locking arrangement of a worm gearing with a toothed shaft. With overloading in the transmission path, the worm gear arranged in bearings on both sides is axially displaced against a resilient force and thereby avoids an overload. This construction, however, generally has nothing to do with the object of the present invention, that is, to increase friction such that with a reversal in the direction of rotation of the rotary motion of the shaft, further rotation of the worm gearing is prevented. A reversal of the rotational direction and the reasoning on which it would be based are not mentioned in Buchanan.

Therefore, Buchanan cannot be considered as a relevant reference or source that would lead one of skill in the art in the direction of the present invention. Again, as argued repeatedly throughout prosecution of this case, Fernandez fails to disclose or suggest a number of features of claim 1, not only the non-self-locking feature, so that combination of Fernandez and Buchanan could not lead one of skill in the art to the present invention as defined in amended claim 1.

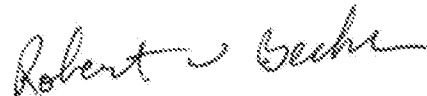
Amended claim 1 specifically defines a *"carrier shaft having a spiral toothing (19) that meshes with an external toothing (20) of the belt shaft (12), wherein said spiral toothing and said external toothing when meshed are not self locking"*. Claim 1 further defines *"a friction-increasing component (25, 26, 28, 29, 30) disposed between said counter-bearing (23) and a first thread of said spiral toothing (19) for*

increasing a level of friction between said counter-bearing (23) and said first thread of said spiral toothing (19)".

Again, since features of claim 1 as amended are not disclosed or suggested by Fernandez, Burr or Buchanan, a combination of these references as proposed by the Examiner would not result in the present invention. Since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a prima facie case of obviousness as clearly set forth in MPEP section 2143.01.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any comments or suggestions, or wish to discuss the merits of the application, the undersigned would very much welcome a telephone call in order to expedite placement of the application into condition for allowance.

Respectfully submitted,



Robert W. Becker, Reg. 26,255
Attorney for Applicant(s)

ROBERT W. BECKER & ASSOCIATES
707 State Hwy 333, Ste. B
Tijeras, New Mexico 87059-7507

Telephone: 505 286 3511
Telefax: 505 286 3524

RWB:rac